

Message Text

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E.O. 11652: N/A
TAGS: SHUM, CI
SUBJECT: GOC RELAXES RULES ON RETURN OF EXILES

REF: SANTIAGO 2480

1. SUMMARY: THE GOC'S AUTHORIZATION FOR CHRISTIAN DEMOCRATIC IDEOLOGUE JAIME CASTILLO TO RETURN (REFTEL) SET A PRECEDENT WHICH THE GOVERNMENT HAS NOW FORMALLY MADE POLICY. ITS DECISION CLEARS THE WAY FOR OTHER PROMINENT EXILES, WHO REFUSED AS A POINT OF PRINCIPLE TO MAKE THEIR RETURN CONDITIONAL ON A PLEDGE NOT TO ENGAGE IN POLITICAL ACTIVITY. THE GOC DECISION IS ANOTHER IN THE CURRENT SERIES AIMED AT IMPROVING THE GOVERNMENT'S IMAGE. END SUMMARY.

2. ON APRIL 5, SECRETARY OF GOVERNMENT RENE VIDAL STATED THAT ANY CHILEAN EXPELLED BY THE GOC MAY APPLY FOR RE-ADMISSION MERELY BY ADVISING THE NEAREST CHILEAN EMBASSY OF HIS WISH TO RETURN. VIDAL MADE CLEAR THAT THE GOC RETAINS DISCRETIONARY AUTHORITY TO ACCEPT OR REJECT THE REQUEST. IN MAKING ITS DECISION THE GOC WILL TAKE INTO ACCOUNT THE INDIVIDUAL'S BEHAVIOR AND
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MOTIVATION AND ASSUME THAT THE PETITIONER UNDERSTANDS CURRENT RESTRAINTS ON POLITICAL ACTIVITY.

3. PREVIOUSLY THE GOC HAD STUCK TENACIOUSLY TO THE LETTER OF DECREE LAW 81, WHICH REQUIRED SUCH PEOPLE TO SIGN A FORMAL STATEMENT FORESWEARING POLITICAL ACTIVITY IF ALLOWED TO RETURN. CASTILLO HAD WAGED A PERSISTENT

LEGAL BATTLE IN CHILEAN CIVILIAN COURTS, UNSUCCESSFULLY
ASSERTING THAT THE GOC HAD NO RIGHT TO DEMAND THIS PLEDGE.

4. FACED WITH THE KNOWLEDGE THAT CASTILLO PLANNED A
SURPRISE RETURN TO CHILE, THE GOC CAPITULATED TO THE
INEVITABLE. CASTILLO FORMALLY TOLD THE EMBASSY AT CARACAS
THAT HE WISHED TO RETURN TO CHILE; THE GOC
WAIVED THE REQUIREMENT THAT HE SIGN THE DL 81
PLEDGE. THUS CASTILLO ACCURATELY ASSERTED THAT HE
RETURN "WITHOUT CONDITIONS" WHILE THE GOC CLAIMS
THAT THE ESSENCE OF DL 81 HAS BEEN MAINTAINED.

5. A SOCIAL DEMOCRATIC SOURCE TELLS US THAT CASTILLO'S
FELLOW EXPELLEE, EUGENIO VELASCO, WILL LIKELY SEEK TO
RETURN UNDER THE REVISED PROCEDURE. ALMOST SURELY CHRISTIAN
DEMOCRAT BERNARDO LEIGHTON WILL FOLLOW SUIT. AN IN-
CREASING NUMBER OF OTHER CANDIDATES ARE ALSO BEING
SUGGESTED BY VARIOUS RUMOR MILLS.

6. COMMENT: THE DECISION OF THE GOC TO LOOK FOR A
FACESAVING SOLUTION ON THIS ISSUE IS ONE MORE EXAMPLE
OF AN APPARENT MAJOR SHIFT IN PINOCHET'S APPROACH.
WITH DOMESTIC AND INTERNATIONAL PRESSURES BUILDING ON
ALL SIDES, HE HAS MADE A NUMBER OF CONCESSIONS DESIGNED
TO IMPROVE HIS GOVERNMENT'S IMAGE. WHILE THE INDIVIDUAL
STEPS ARE NOT ALWAYS SIGNIFICANT, THE EMERGING PATTERN
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OF FLEXIBILITY IN THE FACE OF CHALLENGE IS IMPORTANT.
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